

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ANTOINE DOUGLASS JOHNSON,

Petitioner,

v.

P. THOMPSON,

Respondent.

No. 2:20-cv-00532 WBS DB P

FINDINGS AND RECOMMENDATIONS

Petitioner, a prisoner proceeding pro se, filed a Petition for Writ of Habeas Corpus on March 9, 2020. (ECF No. 1.) The petition was not filed on the proper form used by this court for actions filed pursuant to 28 U.S.C. § 2254.

On May 3, 2021, the court ordered petitioner to file an amended petition on the proper form as required by the Local Rule 190(b) and Rule 2(c) of the Rules Governing § 2254 Cases. (ECF No. 7.) Petitioner was given thirty days from the date of the court's order to file an amended petition. (*Id.*) Those thirty days have passed. Petitioner has not filed an amended petition, requested an extension of time, or otherwise responded to the court's order. Accordingly, the court will recommend that this action be dismissed for failure to prosecute and failure to comply with court orders.

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1 For the reasons state above, IT IS HEREBY RECOMMENDED that this action be
2 dismissed without prejudice. See Local Rule 110; Fed. R. Civ. P. 41(b).

3 These findings and recommendations are submitted to the United States District Judge
4 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within twenty days
5 after being served with these findings and recommendations, petitioner may file written
6 objections with the court and serve a copy on all parties. Such a document should be captioned
7 “Objections to Magistrate Judge’s Findings and Recommendations.” Petitioner is advised that
8 failure to file objections within the specified time may waive the right to appeal the District
9 Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

10 Dated: August 27, 2021

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13 DEBORAH BARNES
14 UNITED STATES MAGISTRATE JUDGE
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